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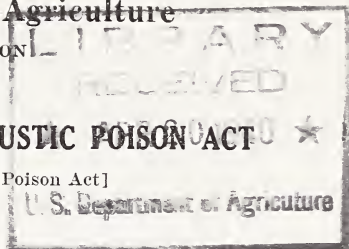
United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE CAUSTIC POISON ACT

[Given pursuant to section 9 of the Caustic Poison Act]

93-95



[Approved by the Acting Secretary of Agriculture, Washington, February 29, 1940]

93. Misbranding of Creme-Oil Bleach Ammonia. U. S. v. Viquet, Ltd., Inc. Plea of guilty. Fine, \$15 and costs. (C. P. A. No. 102. Sample No. 44811-D.)

This product was a dangerous caustic or corrosive substance in packages suitable for household use but the label did not bear the word "poison," nor did it contain directions for treatment in case of accidental personal injury.

On May 12, 1939, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Viquet, Ltd., a corporation, Chicago, Ill., alleging shipment by said company in violation of the Federal Caustic Poison Act on or about January 26, 1938, from Chicago, Ill., into the State of North Carolina, of a quantity of Creme-Oil Bleach Ammonia which was misbranded.

It was alleged in the information that the article contained ammonia (NH₃) in a concentration of 5 percent or more and that it was a dangerous caustic or corrosive substance in packages suitable for household use and was misbranded in that the packages did not bear the word "poison," nor did they bear directions for treatment in case of accidental personal injury, as required by the act.

On October 17, 1939, a plea of guilty was entered and the court imposed a fine of \$15 and costs.

GROVER B. HILL, *Acting Secretary of Agriculture.*

94. Misbranding of Weinkle's Bowl Cleaner and Weinkle's Drain Pipe Opener. U. S. v. Isaac Weinkle (The Weinkle Co.). Plea of guilty. Fine, \$200. (C. P. A. No. 106. Sample Nos. 25189-D, 25190-D.)

These products contained sulfuric acid in a concentration of 10 percent or more. They were dangerous caustic or corrosive substances in packages suitable for household use but were not labeled in compliance with the requirements of the law prescribing the labeling of such substances.

On July 19, 1939, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed an information against Isaac Weinkle, trading as the Weinkle Co. at Atlanta, Ga., alleging shipment by him in violation of the Federal Caustic Poison Act on or about May 13, 1938, from Atlanta, Ga., into the State of South Carolina, of quantities of Weinkle's Bowl Cleaner and Weinkle's Drain Pipe Opener that were misbranded.

Both products were alleged to be misbranded in that the labels did not bear the word "poison" as required by the act, since the word "poison" was in a size and style of lettering differing from that required by the law. The Bowl Cleanser was alleged to be misbranded further in that the label did not bear any directions for treatment in case of accidental personal injury.

The information also charged interstate shipment of certain other products in violation of the Insecticide Act of 1910, reported in notice of judgment No. 1712 published under that act.

On July 19, 1939, a plea of guilty was entered and the court imposed a fine of \$200 for violation of both acts.

GROVER B. HILL, *Acting Secretary of Agriculture.*

95. Misbranding of Selco Toilet Cleanser. U. S. v. The Selig Co. Plea of guilty. Fine, \$100. (C. P. A. No. 107. Sample Nos. 44903-D, 44904-D.)

The label for this product failed to bear the common name of the caustic or corrosive substance therein, it failed to bear the word "poison," and also the directions for treatment in case of accidental personal injury.

On September 11, 1939, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Selig Co., a corporation, Atlanta, Ga., alleging shipment by it in violation of the Federal Caustic Poison Act on or about September 20, 1938, from Atlanta, Ga., into the State of South Carolina of a quantity of Selco Toilet Cleanser that was misbranded.

It was alleged in the information that the article consisted of sodium bisulfate containing unneutralized sulfuric acid in a concentration of 10 percent or more and was therefore a dangerous caustic or corrosive substance in retail packages suitable for household use; and that it was misbranded in that the packages did not bear conspicuous and easily legible labels or stickers bearing the common name of the caustic or corrosive substance contained therein, the word "poison" and directions for treatment in case of accidental personal injury.

The article also was alleged to be misbranded under the Insecticide Act of 1910, as reported in notice of judgment No. 1714 published under that act.

On October 28, 1939, a plea of guilty was entered, and the court imposed fines under both acts, the fine on the count charging violation of the Caustic Poison Act being \$100.

GROVER B. HILL, *Acting Secretary of Agriculture.*